

Serial No.: 10/713,550
Amendment dated 17 June 2005
Reply to Office Action mailed 17 March 2005

Amendments to the Drawings

The attached replacement sheets of drawings include formal drawings for Figs. 1-6. These sheets replace the original sheets of drawings including informal drawings for Figs. 1-6.

Attachment: Replacement Sheets, Figs. 1-6

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REMARKS

This Patent Application has been reconsidered carefully in light of the Office Action dated as mailed on 17 March 2005. A careful reconsideration of the application by the Examiner in light of the foregoing amendments and the following remarks is respectfully requested.

There is no additional claim fee due for this Amendment because the total number of claims does not exceed the number of independent and dependent claims for which fees have previously been paid.

Request for Telephone Interview

Applicants' undersigned attorney requests a telephone interview with the Examiner to discuss the merits of this Patent Application. The undersigned requests this interview if the amendments and arguments are not deemed sufficient to place this Patent Application in condition for allowance. If the Examiner feels the claims are not allowable for any reason, then please telephone the undersigned, Eric T. Krischke, at (847) 490-1400.

Amendments to the Claims

By the above Amendment, independent Claim 1 was amended to include the limitations of original dependent Claim 14, which the Examiner indicated as containing allowable subject matter. Claim 14 was canceled accordingly.

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Original independent Claims 24 and 39 were amended to more fully and completely claim the disclosed subject matter.

Claims 1-13 and 15-39 remain in the application.

Allowable Subject Matter

As a preliminary matter, the undersigned wishes to thank Examiner Purvis for the allowance of Claims 28-38 and the indication that Claims 4-14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By the above Amendment, Claim 1 has been rewritten to include the limitations of original dependent Claim 14. In view thereof, Claims 1-13 and 15-23 are believed to be in condition for allowance and notification to that effect is solicited.

Drawings Objection

The Examiner objected to the drawings as set forth in paragraph 3 of the Office Action. In response to the drawings objection, replacement drawing sheets, including Figs. 1-6 are enclosed herewith. In view thereof, the objection to the drawings is believed overcome and notification to that effect is requested.

Claims Rejection - 35 U.S.C. § 102(b)

Claims 1-3, 15-27 and 39 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,516,852 to Sandor (hereinafter "Sandor"). This

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rejection is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Applicants believe that Claim 1 is patentable over Sandor in view of the above Amendment, as well as Claims 2-13 and 15-23, which depend from and further limit amended independent Claim 1.

Applicants have amended independent Claim 24 to require a first stripping member extending *from* a first guide and a second stripping member extending *from* an opposing second guide. Support for this amendment is found throughout Applicants' specification, for example at page 11, line 18 through page 12, line 9, and Fig. 1. As claimed, the opposing guides are formed in a portion of the wall and **correspond to at least a portion of a periphery of the label assembly**. The opposing guides and the stop wall define an application area on the surface of the base. Each stripping member is suspended over at least a portion of a second end portion of the application area and forms a gap between the stripping member and the base surface.

The Examiner alleges that Sandor discloses first and second stripping members (37) connected with respect to a first end portion of the application area and suspended over at least a portion of the application area. The Examiner further alleges that the label portion (15) is positionable between the first stripping member

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and the second stripping member. The Examiner states that the label portion is considered to be between the multiple stripping members around the circumference edge (18).

Sandor discloses a hub 39 with fingers 36 extending radially outwardly from the hub. Each finger 36 has a tab 37 to effect contact with **the inner circumference of the annular label 15** along a contact surface 37'.

Sandor does not teach or suggest stripping members extending from opposing guides at least partially defining an application area and corresponding to **a periphery of the label assembly**, as required by Applicants' claimed invention. Thus, Sandor does not disclose each and every element or limitation of independent Claim 24, as required for a reference to anticipate a claim under 35 U.S.C. § 102. Claims 25-27 depend from and further limit independent Claim 24.

Applicants have amended independent Claim 39 to require a first guide connected to the base and defining a first side of the application area, and a second guide connected to the base and opposing the first guide, wherein the second guide defines a second side of the application area. Support for this amendment is found throughout Applicants' specification, for example at page 3, lines 8-12, and Fig. 1. As claimed, a first stripping member is connected to the first guide and suspended over at least a portion of the application area, and a second stripping member is

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connected to the second guide and suspended over at least a portion of the application area.

Sandor does not teach or suggest a first guide connected to the base and defining a first side of the application area, and an opposing second guide connected to the base and defining a second side of the application area. Thus, Sandor does not disclose each and every element or limitation of independent Claim 39, as required for a reference to anticipate a claim under 35 U.S.C. § 102.

Applicants respectfully request withdrawal of this rejection.

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Conclusion

It is believed that the above Amendment places all pending claims in condition for allowance and notification to that effect is solicited. However, should the Examiner detect any remaining issue or have any question, the Examiner is kindly requested to contact the undersigned, preferably by telephone, in an effort to expedite examination of this Patent Application.

Respectfully submitted,



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Attachments